

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
ROMAN TERESHCHENKO, :
Petitioner, : 23cv2006 (DLC)
: ORDER
-v- :
:
YASAMIN KARIMI, :
Respondent. :
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DENISE COTE, District Judge:

On March 8, 2023, petitioner Roman Tereshchenko ("Tereshchenko") filed a petition for the return of his minor children, M.T. and K.T., under the Hague Convention on the Civil Aspects of International Child Abduction, Oct. 25, 1980, T.I.A.S. No. 11670, 1343 U.N.T.S. 89. On January 3, 2024, following an evidentiary hearing, this Court granted his petition. Tereshchenko v. Karimi, No. 23cv2006 (DLC), 2024 WL 80427 (S.D.N.Y. Jan. 8, 2024).

On January 18, a conference was held to address the plan by which the children would be returned to the petitioner's custody. Prior to this conference, the respondent, Yasamin Karimi ("Karimi"), filed a motion for a stay pending appeal. Karimi's motion was denied on the record at the January 18 conference and in an Opinion dated January 18, 2024. Following this conference, Karimi appealed the Court's Opinion and Order

of January 8 to the Second Circuit Court of Appeals. On January 26, the Court of Appeals issued a temporary stay of the January 8 Order, pending a decision of Karimi's motion for a stay pending appeal.

During a conference on June 9, 2023, counsel for the respondent indicated that the "two valid passports [for M.T. and K.T.] were lost". In a letter dated January 24, 2024, petitioner's counsel indicated that Tereshchenko had begun the process to secure replacement passports for the children.

On March 11, 2024, the Second Circuit denied the respondent's motion for a stay pending appeal. On March 19, the Second Circuit held oral argument on the respondent's appeal. In a letter dated April 15, the parties informed this Court of their agreement for Karimi to travel with the children to Florida from April 20 to April 29. The parties further agreed that Tereshchenko would return with the children to France on or about April 29, in compliance with this Court's Opinion and Order of January 8. On April 27, the Second Circuit stayed the January 8 Order, ordering that the children shall not be removed from the United States pending the resolution of the appeal.

In a letter dated April 29, the respondent requests that the children's passports be deposited with the Court, "[g]iven the ease with which Petitioner could transfer the passports to the Court through counsel or by mail." The petitioner objects

to this request, noting that the petitioner was scheduled to return to France on April 29. It is hereby

ORDERED that, in the event the petitioner returns to New York with the children's passports and the Court of Appeals has not ordered the return of the children, the petitioner shall deposit the passports with this Court.

Dated: New York, New York
 April 30, 2024


DENISE COTE
United States District Judge